

REMARKS

Claims 1-6 are pending in this application. Claims 1 and 3 are independent claims. By this amendment, new claims 4-6 are added. Reconsideration in view of the above amendments and following remarks is respectfully solicited.

The Claims Define Patentable Subject Matter

The Office Action rejects claims 1-3 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,529,644 to Ito et al. (hereafter Ito) in view of Hoffman et al. (COMPCON '95) (hereafter Hoffman) and further in view of U.S. Patent No. 6,209,011 to Vong et al. (hereafter Vong).

This rejection is respectfully traversed.

Applicant respectfully submits that the combination of Ito, Hoffman and Vong fails to teach or suggest each and every feature as set forth in the claimed invention.

Independent claim 1 recites, *inter alia*, an image capturing system having an image capture unit for capturing image data, a display unit for displaying the image captured, and a recording control unit for executing at least one processing for recording the image data. A hot-pluggable input/output interface is connected to an input/output unit. A command input unit applies a use verification command which verifies use of the image capturing unit. A determination unit determines whether the input/output unit has been connected to the input/output interface. A notification unit gives notification that input/output of an image

by the input/output unit connected to the input/output interface is possible when the use verification command has been applied from the command input unit and the determination unit has determined that the input/output unit has been connected. The notification unit also gives notification that an input/output unit can be connected to the input/output interface when the determination unit has determined that the input/output unit has not been connected. Independent method claim 3 recites similar features.

Under some circumstances, the image capturing system is not connected to the input/output unit. As such, the user does not know that the user can connect the input/output unit to the image capturing system. However, according to the present invention, when it is determined that the input/output unit has not been connected, notification is given that an input/output unit can be (is capable of being) connected to the input/output interface. The user is notified of the fact that an input/output unit can be connected to the input/output interface (the image capturing system) and is capable of inputting or outputting an image using the input/output unit connected to the input/output interface.

In contrast with the present invention, Ito merely discloses an image processing system. For example, in Fig. 26 of Ito, the video input select switch 81 is connected to the image pick-up unit consisting of a video camera 11 and having an external video input terminal 80. In Ito, if the external terminal is connected (step S81), the video input select changeover switch 81 is changed to the side of the external video input terminal 80 to input an image signal from the external video input terminal 80 (step S82). However, if the external terminal is not connected at step (S81),

the video input select changeover switch 81 is changed to the side of the video camera 11 to input an image signal from the video camera 11 (step S83). In addition, in Ito, the input image selected at steps S81 to S83 are displayed (step S3). If Ito's shutter button 17a of the operation unit 17 is depressed (step S4), the image being picked up at that time is stored as a still image into the image storage unit 12 (step S5). (see Ito, col. 12, lines 14-26).

However, Ito fails to teach or suggest that when it is determined that the input/output unit has not been connected, notification is given that an input/output unit can be (is capable of being) connected to the input/output interface.

As for Hoffman, the Examiner imports Hoffman merely to disclose a hot plug, which the Examiner alleges is well known in the art. Applicant respectfully disagrees with this allegation because the Examiner has not established how it is well known in the art to have a hot plug in combination with the other claimed features.

As for Vong, Vong merely discloses a hand held computing device. The hand held computing device can be connected to the network. If the hand held computing device in Vong is not connected to the network, a notification signifying disconnection is carried out by an LED. However, the notification in Vong merely signifies "disconnection". Vong fails to notify the user that the hand held computing device can be (is capable of being) connected to the network. As such, Vong is completely different from the claimed invention.

Applicant respectfully submits that both Hoffman and Vong fail to make up for the deficiencies found in Ito.

To establish a *prima facie* case of Obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 706.02(j).

Applicant respectfully submits that not only does the combination of Ito, Hoffman, and Vong fail to teach or suggest each and every feature as set forth in the claimed invention, but also that only through impermissible hindsight reconstruction using applicant's invention would one find motivation to modify the ITO device to have all of the claimed features, including the feature of notifying the user that an input/output unit can be connected.

Applicant submits that the Office Action has improperly used applicant's invention as a road map to pick and choose features and paste the chosen features together to arrive at the claimed invention, even though the reference does not provide any teachings, suggestion or motivation to make the modification.

As such, applicant respectfully submits that the combination of Ito, Hoffman and Vong fail to teach or suggest each and every feature as set forth in the claimed invention.

Applicant also respectfully submits that not only does the references fail to teach or suggest each and every feature as set forth in the claimed invention, but that one of ordinary skill in the art would not have been motivated to combine/modify the teachings of Ito with Hoffman and Vong because there is no teaching or suggestion in any of the references regarding how or why one would modify such systems to arrive at the claimed invention.

Applicant respectfully submits that independent claims 1 and 3 are allowable over the combination of Ito, Hoffman and Vong for at least the reasons noted above.

As for each of the dependent claims not particularly discussed above, these claims are also allowable for at least the reasons set forth above regarding their corresponding independent claims, and/or for the further features claimed therein.

Accordingly, withdrawal of the rejection of claims 1-3 under 35 U.S.C. §103(a) is respectfully requested.

Conclusion

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

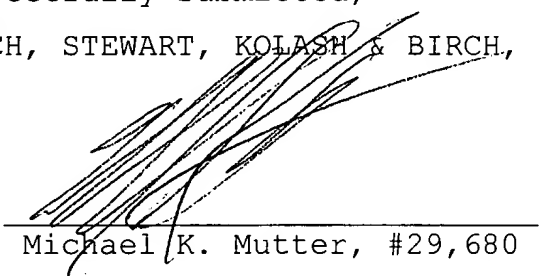
Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Carolyn T.

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Baumgardner (Reg. No. 41,345) at (703) 205-8000 to schedule a
Personal Interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment from or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. \$1.16 or under 37 C.F.R. \$1.17; particularly, the extension of time fees.

Respectfully submitted,
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